

## **REMARKS**

### **I. Status of the Application**

This Reply is being submitted in response to the Final Office Action mailed on May 27, 2010. Pending claims 1-12 are hereby canceled from this application and new claims 13-18 are added. Applicants believe that the references cited in the Final Office Action do not disclose the structures claimed by newly added claims 13-18. Support for the newly presented claims is generally found in FIGs. 3-5 of the pending application and the related portions of the specification. No new matter has been added by this amendment.

### **II. Rejection of Claims under 35 U.S.C. § 102**

The Applicants have cancelled claims 1-7, 9 and 10, thereby rendering the rejection of claims 1-7, 9, and 10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,438,234 B1 to Gisin, et al. (hereinafter "Gisin") moot. Applicants respectfully submit that newly presented claims 13-18 are not anticipated by Gisin.

For example, newly submitted claim 13 recites that "a first port on a second side of the 2x2 3dB beam splitter is connected to one of the two 90 degree Faraday mirrors, and a second port on the second side is connected to the other of the two 90 degree Faraday mirrors." Gisin does not disclose such a structure. Faraday mirrors 14, 16 utilized in Gisin are shown as being on opposite sides of a beam splitter 12. Therefore, Gisin does not teach or suggest an arrangement of the Faraday mirrors as recited by claim 13. For at least this reason, claim 13 is patentable over Gisin.

Claims 14-16 are dependent claims that depend either directly or indirectly from claim 13. As Gisin does not teach or suggest all of the claim limitations of claim 13, for at least these same

reasons claims 14-16 are allowable over Gisin.

Additionally, newly submitted claim 17 recites “a transmitter comprising ... two 90 degree Faraday mirrors, wherein a first port on a second side of the 2×2 3dB beam splitter is connected to one of the two 90 degree Faraday mirrors, and a second port on the second side is connected to the other of the two 90 degree Faraday mirrors” and “a receiver comprising ... two 90 degree Faraday mirrors, wherein a first port on a second side of the 2×2 3dB beam splitter is connected to one of the two 90 degree Faraday mirrors, and a second port on the second side is connected to the other of the two 90 degree Faraday mirrors” Thus, claim 17 also includes “a first port on a second side of the 2×2 3dB beam splitter is connected to one of the two 90 degree Faraday mirrors, and a second port on the second side is connected to the other of the two 90 degree Faraday mirrors.” As mentioned above, Gisin in no way teaches or suggests such an arrangement. Hence, claim 17 is patentable over Gisin. Claim 18 depends directly from claim 17, and is also patentable over Gisin.

### **III. Rejection of Claims under 35 U.S.C. § 103**

The Applicants have cancelled claims 11 and 12, thereby rendering the rejection of claim 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Gisin and WIPO Publication No. WO02/49267 A1 to Duraffourg, et al. (hereinafter “Duraffourg”) moot. Applicants respectfully submit that newly presented claims 13-18 are not rendered unpatentable by Gisin in view of Duraffourg.

As mentioned above, Gisin fails to teach or suggest “a first port on a second side of the 2×2 3dB beam splitter is connected to one of the two 90 degree Faraday mirrors, and a second

port on the second side is connected to the other of the two 90 degree Faraday mirrors.”

Duraffourg does not in any way teach or suggest the use of a Faraday mirror, and therefore fails to teach or suggest the above recited limitation of claim 13 that is not found in Gisin.

Therefore, Gisin in view of Duraffourg fails to teach or suggest an arrangement of the Faraday mirrors as recited by claim 13. For at least this reason, claim 13 is patentable over Gisin in view of Duraffourg.

Claims 14-16 are dependent claims that depend either directly or indirectly from claim 13. As Gisin in view of Duraffourg do not teach or suggest all of the claim limitations of claim 13, for at least these same reasons claims 14-16 are allowable over Gisin in view of Duraffourg.

Similar to claim 13, claim 17 recites “a first port on a second side of the 2x2 3dB beam splitter is connected to one of the two 90 degree Faraday mirrors, and a second port on the second side is connected to the other of the two 90 degree Faraday mirrors.” As mentioned above, neither Gisin nor Duraffourg in no way teaches or suggests such an arrangement. Therefore, claim 17 is patentable over Gisin in view of Duraffourg for at least this reason. Claim 18 depends directly from claim 17, and is also patentable over Gisin in view of Duraffourg.

**CONCLUSION**

In light of the foregoing amendment and remarks, Applicants respectfully request reconsideration and allowance of the pending claims in this application. The Commissioner is authorized to charge any fees or credit any overpayments to Deposit Account No. 13-0206. Applicants further invite the Examiner to contact the undersigned representative at the telephone number below to discuss any matters pertaining to the present Application.

Respectfully submitted,

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